

Exhibit M

Intelligencer



JEFFREY EPSTEIN CASE | JULY 19, 2019

Alan Dershowitz Cannot Stop Talking Accused of a slew of terrible things, the defense has no intention of resting.

By Andrew Rice



Alan Dershowitz with Jeffrey Epstein at Harvard in 2004. Photo: Rick Friedman/Polaris

ne morning in July, days after his onetime client Jeffrey Epstein was arrested on sex-trafficking charges, the famed attorney Alan Dershowitz was reminiscing as he drove the

Owinding roads of Martha's Vineyard. "I first came here to defend Ted Kennedy," he said. "I got a call: 'The senator has driven off a bridge.'" A woman drowned; the powerful man escaped serious consequences. Dershowitz liked the island and has been coming back for 50 years. He turned his old Volvo station wagon onto an unpaved road leading into the woods, and brought the conversation to his personal crisis. Of all of the many men on the long list of socialites, billionaires, and politicians associated with Epstein, the shadowy financier with a predilection for underage girls, perhaps no name had been tarnished as seriously as Dershowitz's. As Epstein's lawyer, he had helped him to thwart prosecutors; as his houseguest, he was accused of enthusiastically joining in Epstein's alleged sexual abuse.

"It's a horrible thing to be accused like this," Dershowitz said as the gravel crunched beneath his tires. In the proceedings of a federal civil lawsuit brought by two women, Dershowitz has called the allegations "vicious lies." In combative media appearances, he has alleged he was the target of a complex extortion plot, coordinated by the lawyer of his accusers, the equally renowned attorney David Boies. "I know the truth," Dershowitz told me. "I know that I am a victim of a serious crime, a crime of perjury." For years, the legal saga had been mostly ignored outside the tabloids. Then Epstein's shocking arrest jolted it to life. Now, Dershowitz was howling into a whirlwind, trying to prove to the world that he hadn't done the indefensible.

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Dershowitz led me into his summer house, which is crowded with art — vintage political posters in the stairwell, Roy Lichtenstein over the couch — and mementos of his life in the courtroom and at Harvard University, where he was a professor at the Law School until he retired a few years ago. In the sunny dining room, which looked out on the pool, a large stack of spreadsheets was waiting on the table. They were a detailed breakdown, Dershowitz said, of

his whereabouts and activities during the years his primary accuser, a former member of Epstein's entourage named Virginia Giuffre, says that Dershowitz had sex with her when she was a teenager in New York, Palm Beach, and other locales. "Every single one of those days is accounted for," he said. On August 1, 1999, for instance, the spreadsheets say he stayed on the Vineyard and had a meeting with a certain "Prince Bandar." (Dershowitz later clarified it wasn't the famous Saudi prince.)

After a few minutes, Dershowitz's wife, Carolyn Cohen, a neuropsychologist, and his grown son, Elon, a film producer, joined us at the table. For the next few hours, Dershowitz presented his defense, with Cohen acting as his co-counsel, handing him papers. "I want to be as much a part of it as I can be," Cohen said, "because first of all, it makes me feel less helpless. I think it's so outrageous." From time to time, Dershowitz would step out of the room to call his lawyer. He told me that the next day he was scheduled to have a long phone call with the *New Yorker* writer Connie Bruck, who was nearing the end of a yearlong investigative profile. "The story is designed to destroy my career," Dershowitz said. It was quite possible, however, that the deed had already been done.

Dershowitz, now 80, is his generation's answer to Clarence Darrow, the legendary "Attorney for the Damned." He was nice to have on your side if you were innocent, but his real specialty was representing the despicably guilty. During his heyday, which coincided with the golden era of the celebrity lawyer, he was a recognizable face — bookish glasses, mustache, big red bushy hair — in the middle of countless front-page crimes stories. He represented the junk-bond king Michael Milken, the biggest crook on Wall Street in the 1980s. He was part of the "dream team" of attorneys that defended O.J. Simpson. When I visited his downstairs bathroom, I noticed it was decorated with cheeky photos: he and Leona Helmsley on the cover of this magazine; O.J. breaking free on the gridiron; the accused wife-poisoner Claus von Bülow, grinning in medieval-style stocks. (His victory in the von Bülow case was made into a film, *Reversal of Fortune*, which was co-produced by Elon.)

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Dershowitz no longer resembles the man he was when he was younger. The mustache is gone, his hair is now gray and close-cropped. Under personal attack, his trademark zeal has veered into something more uncontrolled — a feral defensiveness. A few days after our meeting, he would publish an online essay preemptively attacking Bruck's unpublished article and accusing *New Yorker* editor David Remnick of ordering up a "hit piece" aimed at "silencing my defense of President Trump, Prime Minister Netanyahu, and the State of Israel." (Remnick

declined to comment.) He has been perhaps inadvisably willing to talk, and talk, and talk, answering every request for comment (including mine). Dershowitz portrays the women accusing him as mere money-hungry instruments of his nefarious — male — enemies. It is not a strategy that makes him appear particularly sympathetic, and he knows that, but he really can't seem to help himself.

“The new standard is that sexual offenses are so heinous that even innocence is not a defense,” Dershowitz said. “I’m not supposed to say she’s lying because that’s a political sin. But there’s never been a case of greater proof of innocence.”

As for Boies, the supposed mastermind of his misery, Dershowitz is intent on fighting a reputational battle to the death. Last night, on Fox News, he accused his nemesis of having “an enormous amount of chutzpah to attack me and challenge my perfect, perfect sex life.” He declared his faithfulness to his wife, before proclaiming: “I challenge David Boies to say under oath he’s only had sex with one woman.” (Boies told me: “This is simply more evidence of how desperate Mr. Dershowitz is to distract attention from the evidence of his misconduct.”)





an office near the school, gave it millions, and hosted seminars that brought together academics from different disciplines.

“By the time I got to know him, I had already represented a lot of very, very wealthy people,” Dershowitz said. “I was much more interested in his quirky mind.”

“It turns out to be a lot quirrier than we thought,” Cohen added. She said she was less charmed when she met Epstein. “I just remember thinking he was very screwed up in his attitude about relationships,” she said. “This was a clinical-psychology analysis, that he was really immature, messed up, and I didn’t particularly like him.”

For around a decade, Dershowitz kept casual company with Epstein, who introduced him to his friends, like Ghislaine Maxwell, a British heiress who acted as his right hand, and Prince Andrew, whom Epstein called “Andy.” (Dershowitz said he and the prince didn’t end up getting along because they disagreed about Israel.) Dershowitz visited Epstein’s mansions in New York and Palm Beach and occasionally accompanied him on his private plane. Dershowitz says these trips were family-oriented. Once, Epstein lent him the Palm Beach home so he could

attend a granddaughter's soccer tournament. Another time, he and his nephew flew down to watch a space launch with another Epstein connection, a top NASA official. He and Cohen once stayed with Epstein on his island in the Caribbean, where they were joined by another Harvard professor and his family.

When Epstein first started to attract media attention around the year 2000, mainly because of his friendship with former president Bill Clinton, Dershowitz served as a character witness for the reclusive financier. He told *Vanity Fair* that he shared manuscripts of his books with Epstein before they were published and swore that his money was irrelevant. "I would be as interested in him as a friend if we had hamburgers on the boardwalk in Coney Island and talked about his ideas," he told the magazine. But Dershowitz says their interactions took a sharp turn in 2005, when Epstein faced a local police investigation into his relations with underage girls in Palm Beach and Epstein hired him as a lawyer. Today, Dershowitz claims they were never really friends despite their proximity.

"He was an acquaintance," he said. "In retrospect, I wish I hadn't taken the case, but I didn't see a problem with taking the case. We didn't have a close, personal relationship."

The first phase of Epstein's legal troubles began when the parents of a 14-year-old girl reported to the Palm Beach police that she had been hired to give him a massage and was then molested. Over the next seven months, according to an investigative series in the *Miami Herald*, detectives identified 21 potential victims. By that time, Epstein had heard rumors about the investigation and had assembled a legal team, including Dershowitz. In a letter, Epstein's Palm Beach defense lawyer introduced Dershowitz to prosecutors as "a close friend of Mr. Epstein's."

Dershowitz now claims his involvement in the case was superficial. "Remember, I'm a legal-lawyer," he said, saying his role, as an eminent Harvard professor, was limited to providing "big picture" guidance. But the records of the Palm Beach investigation include a letter from Dershowitz that delves into the seamy details, describing the work of Epstein's private detectives, and questioning the character of one of his accusers. (It related that her social-media posts showed an "apparent fascination with marijuana.") "I'm not sure I've ever seen this letter," Dershowitz said when I showed it to him. He pointed out that it appeared to have been signed on his authorization by Epstein's local attorney.

While Dershowitz said that he "was occasionally presented with investigative reports," he contended that he was under the impression that his client's accusers were mainly adult

women. “He was facing charges for having had sexually oriented massages with mostly 18-year-olds and 19-year-olds, but, as he put it, some 17-year-olds ‘slipped through the cracks,’” Dershowitz said. “When I negotiated with the state attorney, the words 14, 15, 16 never came up.” This is hard to believe. When Epstein was indicted in 2006, the headline in the Fort Lauderdale *Sun-Sentinel* was: PALM BEACH RESIDENT FACES SOLICITATION CHARGE; BUSINESSMAN ACCUSED OF SEX WITH MINORS.

The state indictment, on just a single count, represented a victory for Epstein’s lawyers. The local police were furious, and they called on the FBI to get involved. To deal with the federal investigation, Epstein hired a bunch of Washington lawyers, including Kenneth Starr, to negotiate with President Bush’s appointees at the Justice Department. Dershowitz was a Democrat, but he remained involved and participated in at least one of the now-notorious meetings between Epstein’s legal team and Alex Acosta, who was then the U.S. Attorney for South Florida. “At that meeting, we had a big-picture negotiation, and I presented my legal theory, which I had worked out very carefully, that there was no federal nexus here,” Dershowitz said. Prosecutors would have to argue that Epstein’s sexual offenses had involved interstate activities. “I said, you’ll never prove that, that this was a state case at bottom, not a federal case,” he said. “It was a very academic presentation.”

Acosta ultimately approved a deal granting immunity from federal charges to Epstein, along with “any potential co-conspirators,” in return for his guilty plea to two felony prostitution charges in state court. Epstein served 13 months in the Palm Beach County jail, in a private wing where Dershowitz visited him on New Year’s Day 2009. The plea bargain was inexplicably lenient. “You can complain that maybe I did too good a job,” Dershowitz would later tell a television news reporter in Florida. “Hey, I’m pleading guilty.” But Acosta’s office failed to properly notify Epstein’s accusers about the terms, in apparent violation of the federal Crime Victims’ Rights Act. Years later, the Miami *Herald* articles about deal would lead to a public outcry, a renewed federal investigation in New York, and Acosta’s ouster from his job as secretary of Labor. But at the time, reaction was muted; few news outlets even covered the plea.

But one group of people were outraged, Epstein’s alleged victims, and that set off a third phase of litigation. The civil lawsuit *Jane Doe v. United States of America* was filed in 2008 in an effort to invalidate the federal non-prosecution agreement. For six years, though, the case seemed to be going nowhere. Dershowitz moved on to other controversies and published seven books. He says he had little further contact with Epstein, who returned to his mansions and his life as jet-setting libertine. Then, in December 2014, there was a shocking development in the *Jane Doe* lawsuit. Lawyers representing the alleged victims filed a motion

on behalf of an unnamed woman, who turned out to be Virginia Giuffre. She had previously claimed in an interview with the *Daily Mail* that she had been sexually involved with Epstein as a teenager, after being spotted by Maxwell at Mar-a-Lago, where she worked as a towel girl. Now, in an affidavit, she claimed she had been an underage “sex slave” to Epstein.

In their motion, the pair of attorneys behind the *Doe* case — a former prosecutor named Bradley Edwards and a retired federal judge, Paul Cassell — claimed that Epstein, for purposes of pleasure and blackmail, had also paid Giuffre to have sex with numerous high-profile individuals, including “prominent American politicians, powerful business executives, foreign presidents, a well-known prime minister and other world leaders.” Her affidavit named two of these “friends and acquaintances” of Epstein: Prince Andrew and Alan Dershowitz. Cassell and Edwards claimed that Dershowitz had a conflict of interest in negotiating a deal that involved immunity for co-conspirators, and it should therefore be invalidated. A judge would later deny the motion and order it stricken from the court record, finding the “lurid details” were “immaterial and impertinent” to the case. But by that time, largely because Prince Andrew was involved, the story was everywhere. (Buckingham Palace denies he committed any wrongdoing.)

“We thought it was comical in the beginning,” Cohen said. “Until we realized people were taking it seriously.” Dershowitz later came to believe that the affidavit was the bait in a carefully planned trap. And he thinks he knows who laid it: David Boies.

I first met Dershowitz last year, when I was working on a profile article about Boies, one of the few attorneys in America who can match his level of public prominence. Boies had had a long and illustrious career in the courtroom — he argued the antitrust case against Microsoft and Al Gore’s side of *Bush v. Gore* — and a history of taking on worthy causes, like gay marriage, but he was at the nadir of his own scandal over the revelation of his role in covering up the alleged abuses of his longtime client Harvey Weinstein. While he was down, Dershowitz was up, or at least on TV a lot, reveling in his contrarian position on the Russia investigation and visiting the White House to discuss legal strategy with Donald Trump. I knew that Boies and Dershowitz were embroiled in some weird litigation over the Epstein case. A feud between two of the most well-known names of a legal generation — at 78, Boies is two years younger — seemed like ripe material.

When I asked about Boies, Dershowitz invited me right over to his Manhattan apartment, where he described an improbable-sounding conspiracy with Boies at its center. “He’s not a

lawyer,” he said. “He’s an extortionist.” The story seemed contorted and impossible to confirm, and I didn’t write about it. But in recent months, Dershowitz has managed to thrust it into public view.

According to Dershowitz’s theory, Giuffre’s allegations were never meant to stand up in court. He argues he was merely a “stalking horse,” meant to provide an embarrassing example to another man: the billionaire Leslie Wexner, whom he had heard Giuffre had also accused. “The decision to name me publicly,” Dershowitz alleges in a recent court filing, “was calculated to send the following message to Wexner: If you don’t want to have happen to you what happened to Alan Dershowitz, you should settle the complaint against you, even though the statute of limitations has long expired.”

At least some portions of his theory have turned out to be true. Although Dershowitz didn’t come to know it until much later, Boies was involved in the Epstein litigation as early as June 2014, six months before Giuffre filed her affidavit in the *Doe* case. Giuffre’s lawyers asserted that Epstein “lent out” their client to his powerful friends, and they wanted to bring in a heavy hitter. Boies met with Giuffre that July, and decided to represent her for free, with an understanding that his firm might later receive a contingency fee in the event of a financial settlement. He claims, however, that he did not press her to name the other men she was accusing of abuse.

One of Giuffre’s lawyers, Stanley Pottinger, says in an affidavit, that that fall they developed information that Leslie Wexner “was alleged to have had sex with one or more of Mr. Epstein’s girls, including Ms. Giuffre.” He says he informed Boies to make sure this did not present a conflict for his law firm. Boies replied that he knew Wexner only socially, and said his firm would investigate. That December, one of his partners wrote a letter to Wexner, “regarding possible claims against him.” The same month, Giuffre’s other lawyers, down in Florida, publicly filed the affidavit naming Dershowitz.

“It’s exactly the same time,” Dershowitz said. “That cannot be a coincidence.”

The allegations against Wexner were handled more discreetly than those about Dershowitz. Boies had three conversations with Wexner’s lawyers in 2015, after which the allegations were quietly dropped. But Boies has asserted in an affidavit that “no settlement demand was ever made, or even discussed.” Dershowitz asserts that if no money was exchanged, it must be because Giuffre’s allegations were disproved. Neither Wexner’s lawyer nor Boies would comment on the discussions. After Epstein’s arrest, Wexner wrote in a memo to his company employees that he “was NEVER aware of the illegal activity charged in the indictment.” In a

legal filing, Dershowitz says that Wexner's wife and lawyer told him that they viewed the approach from Boies as a "shakedown."

Boies says that because the motion accusing Dershowitz was made by other lawyers, Edwards and Cassell, he wasn't even aware that Giuffre was making the claim. Pottinger has said he only told Boies when the motion was filed. "When I informed Mr. Boies," Pottinger says in his affidavit, "he told me that while he was aware of Mr. Dershowitz's reputation for running naked on beaches in Martha's Vineyard and hitting on students and girlfriends of students, he was disappointed to learn of his involvement with someone as young as Virginia." When I read this sentence to Dershowitz he gave an amused look to his wife and admitted that he has occasionally gone skinny-dipping at a nude beach near his house. But he denied the part about hitting on students.

It seems inconceivable that Boies, a litigator known for his piercing powers of perception, would have been unaware of one of his client's most explosive claims, and his co-counsels' plans to detonate them in public. On the other hand, he points out an obvious logical flaw in Dershowitz's shakedown theory. "What in the world would lead someone to use Alan Dershowitz as a stalking horse, for heaven's sake?" Boies said. Whatever else he may be, Dershowitz is no one's idea of a patsy.

"Boies never targeted Dershowitz," Pottinger told me. "There's no way that these two giants would take on each other gratuitously." He says that Boies questioned the strategy of naming the media-friendly lawyer, saying the inevitable controversy would distract attention from the real quarry, Epstein, and the big issue, human trafficking.

Sure enough, after the affidavit was filed, Dershowitz went on CNN and the *Today* show, where he attacked Giuffre and predicted her "unethical" lawyers would be disbarred. The "worldwide media rampage," as Edwards and Cassell later described it, opened the way for the next round of litigation: the defamation cases. Court proceedings are legally privileged, meaning Dershowitz could not sue Giuffre for what she claimed in her affidavit, but his media appearances enjoyed no such immunity. In 2015, citing his comments on TV, Edwards and Cassell sued him for defamation in Florida state court. He suspects that was part of the plan all along.

"They expect me to remain silent in the face of an accusation like that?" Dershowitz said. "It's a sleazy tactic. That's the Boies tactic."

At the time the defamation suit was filed, though, Dershowitz still wasn't aware that Boies was his opponent. After his *Today* appearance, he even received a supportive email from a lawyer in the firm of Boies Schiller Flexner, with whom he had worked in the past. "Thank you for your kind words," Dershowitz wrote back. "I would love your help." The lawyer, who claims he was unaware of the boss's role, said he would be willing to represent him in the defamation case. Dershowitz discussed the lawsuit with him and sent along a memo that he describes as "the whole strategy of my defense." Soon after, the lawyer wrote back, saying the firm had informed him of a conflict, "the nature of which we are not at liberty to discuss." It wasn't until later that Dershowitz discovered Boies was representing his accuser. He would file four separate bar complaints, claiming Boies and his firm acted unethically. None of them have resulted in sanctions.

The defamation case gave Giuffre's attorneys a chance to gather evidence, including Dershowitz's sworn testimony in a series of depositions. Giuffre claimed to have had sex with Dershowitz on Epstein's private plane. The lawyers turned up flight manifests that showed the lawyer sometimes flew on it, although there was no record of him and Giuffre on the plane together. They cited testimony from former household employees who said they saw him around when Epstein had girls over to give massages. Dershowitz claimed that, because of the layout of the Palm Beach compound, he was unaware of what Epstein did in his private quarters and admits to receiving just one massage himself, from an older Russian woman named Olga. He has said he kept his underwear on and didn't enjoy it, a claim met with derision most everywhere except within his family. Elon recalled that years ago, a rough masseuse gave his father a shoulder injury.

"He always, always brings it up, and says, 'I hate massages,'" Elon said.

By the spring of 2015, as media interest receded, Dershowitz attempted to put his dispute with Giuffre to rest. He reached out to Boies via an attorney named David Stone, who had worked with both of them in the past. They had a series of meetings where Dershowitz tried to convince Boies that he had been wrongly accused. He proposed to show Boies the spreadsheets listing his whereabouts, Stone says in an affidavit, and suggested that Giuffre might be confusing him with another Epstein friend. That fall, he began surreptitiously taping his phone calls with Boies. He has played snippets of the calls for me and other reporters, but they are difficult to interpret out of context. Throughout the process, Stone says, Boies made noncommittal comments that Dershowitz appeared to read too much into, as he held out hope for a retraction.

“Let’s keep trying. We are not THAT far apart,” Dershowitz wrote in a December 2015 email to Boies. He suggested that Giuffre issue a statement reading: “The events at issue occurred approximately 15 years ago when I was a teenager. Although I believed then and continued to believe that AD was the person with whom I had sex, recent developments raise the possibility that this may be a case of mistaken identification.”

Boies was not interested. He claims he told Dershowitz in late 2015 that the firm was “increasingly uncovering evidence” that undermined his denials, including inconsistencies in his travel records. In 2016, the Florida defamation case ended with an undisclosed financial settlement and a joint statement in which Edwards and Cassell said that “it was a mistake to have filed sexual misconduct accusations against Dershowitz.” (The lawyers, who declined to comment, clarified in a subsequent legal filing that they feel their mistake was merely “tactical.”) But Boies was pressing forward with a second defamation lawsuit, between Giuffre and Ghislaine Maxwell, whom she had alleged was also “heavily involved in the illegal sex.”

The Maxwell case allowed Boies to amass an enormous volume of evidence about the activities of Epstein and his associates. He also turned up a second Dershowitz accuser, a former model named Sarah Ransome. She has alleged in a sworn statement that when she was in her 20s, she performed numerous sexual favors for Epstein and had a threesome with another woman and Dershowitz at the New York mansion.

“You meet David Boies, magically you remember that you had sex with Alan Dershowitz,” Dershowitz said bitterly. As an 80-year-old academic, he said some of the stories — threesomes, airplane trysts, group sex in Epstein’s limousine — sounded “so phantasmological.” He recognizes that the #MeToo movement has surfaced numerous accounts of preposterous-sounding sexual misbehavior by prominent and respected men, and almost all of them have turned out to be true. But he swears he is different.

“Mine is the only case, singular, *the only one*, where I never met the people,” Dershowitz said. “There’s no evidence we’ve ever met, no evidence we were ever in the same place at the same time, ever.” He has sued to unseal evidence filed in the Maxwell defamation case that he predicts will prove damaging to his accusers’ credibility. The record contains emails, he said, from Ransome to a New York *Post* reporter, in which she purports to possess sex tapes of Hillary Clinton, Richard Branson, and Donald Trump. There are also emails between Giuffre and a tabloid journalist, he said, in which she appears to shape her story to make it more salable as a book. Dershowitz also stresses that there appears to be a discrepancy in Giuffre’s accounts of her age at the time she worked at Mar-a-Lago, meaning she may have been as old as 17 when she met Epstein, which may make a legal distinction, if not a moral one.

Constantly, he calls Giuffre a “liar” and worse. Counterpunching is his style as a defense attorney, but his vehemence often turns ugly.

“As a psychologist,” Cohen interjected during one harangue, “one thing that Alan and I have talked about is that people with that kind of horrific background where they really had to resort to their own resources to survive, they learn how to be manipulative.”

“I understand the phenomenon,” Dershowitz replied. “But I’m not going to let somebody get away with falsely accusing me of a horrendous crime, just because I may have some sympathy with what she went through. Maybe she should have some sympathy with what she’s putting me through.”

Boies said that his clients would not be available for comment, but he told me the accusations will withstand Dershowitz’s assaults. “There is no one who ever talked to Virginia Giuffre who does not believe that she is a credible witness,” Boies said. Much of the evidentiary record in the Maxwell defamation case, which was settled in 2016 for an undisclosed sum, is expected to become public soon, after a federal appeals court sided with Dershowitz and others who argued for overturning a sealing order.

Besides the documents that Dershowitz predicts will exonerate him, the record includes much testimony and evidence from Giuffre and supporting witnesses. “Mr. Dershowitz’s misconduct, and his lies about it, are documented in sworn affidavits, sworn depositions, and contemporaneous documents,” Boies said. “I can understand why Mr. Dershowitz wants to distract attention from the facts by talking about me.”

Earlier this year, Boies’s firm filed yet another defamation lawsuit on Giuffre’s behalf, this one against Dershowitz directly. Dershowitz vows to fight it until he is vindicated or he dies. “I’m not going to be made whole until David Boies is imprisoned, disbarred, and discredited,” he said. “I will only be made whole when the world understands that this was a completely made up story for money. Nothing short of that will satisfy me.”

“It is clear to me,” Boies replies, “that Mr. Dershowitz will never be made whole.”

Toward the end of our morning on the Vineyard, Dershowitz stepped out of the room to have yet another crisis-management call with his lawyer. I took the opportunity to ask Cohen how she hoped to see the case between her husband and his accusers resolved.

“My hope, my greatest dream, would be for this to be revealed as really a sinister plot by Boies, and that he gets what’s due to him, and Alan gets totally exonerated,” she said. “And the

#MeToo movement pulls back some and becomes a more reasonable, due process-oriented, valuable movement. This alerts us to the dangers of being too fanatical.” The balance of presumption, she said, had tilted too far.

“It’s like, all men are evil.”

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THE **Intelligencer** FEED

1 MIN AGO THE TOP LINE

Insane Slides from SoftBank's Presentation Explaining (?) How It Will Fix WeWork

By JOSH BARRO

Maybe Adam Neumann isn't the only charismatic founder-CEO who needs to be paid to go away.

9:19 A.M.

Some possibly reassuring news for Democrats

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Maybe Trump is a swing state colossus, but new [@CookPolitical](#) [@KFF](#) poll shows his approval at 41% in MI, 42% in WI & just 39% in PA. His approval on health care is even weaker, but yellow light for Dems: 56% in PA, 58% MI, 59% WI oppose [#Medicare4All](#) that ends private insurance

—[@RonBrownstein](#)



11/6/2019

How Much Does One (Very Troubling) Poll Matter?

By Gabriel Debenedetti and BENJAMIN HART

8:40 A.M.

One way in which Sanders's massive war chest will come in handy

Bernie Sanders's campaign plans to spend more than \$30 million on TV advertising alone in the first four presidential nominating states and California, according to several people familiar with the strategy, a financial show of force that also suggests he needs to reach outside the traditional sphere of Democratic primary voters and caucusgoers for support.

Mr. Sanders, the senator from Vermont, has been on the air in Iowa since early October, when his campaign spent \$1.3 million on television advertising, and has bought \$1 million of TV time in New Hampshire beginning Thursday.

The campaign has so far largely flouted traditional politicking, wagering instead on robust on-the-ground organizing to bring new voters into the political process.



Sanders to Spend More Than \$30 Million on Advertising in Early States

—The New York Times

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By JESSE SINGAL

7:25 A.M.

A not-so-surprising revelation from the forthcoming book by the anonymous Trump op-ed writer: Cabinet members thought Pence would go along with a move that would remove Trump and make him president

According to the exposé, which is written by someone that The New York Times and the publisher of the book say is a current or former senior White House official, using the pen name "Anonymous," highly placed White House officials did a back-of-the-envelope tally of which Cabinet members would be prepared to sign a letter invoking Section 4 of the 25th Amendment to the Constitution, which says that if the president is deemed unfit to discharge the duties of his office, the vice president would assume the role.

That letter would need to be signed by a majority of the Cabinet, delivered to Pence for his signature and then submitted to Congress.

According to Anonymous, there was no doubt in the minds of these senior officials that Pence would support invoking the 25th Amendment if the majority of the Cabinet signed off on it.



Exclusive: Book Claims Senior Officials Believed Pence Would Support Use Of 25th Amendment

—HuffPost

7:21 A.M.**Bernie's new immigration plan would end ICE raids and give DACA recipients legal status**

Sen. Bernie Sanders on Thursday released his comprehensive immigration plan, calling for a complete restructuring of the system through legislative action and a series of executive orders.

On day one of his administration, the candidate for the 2020 Democratic presidential nomination said, he would place a moratorium on deportations, end raids by Immigrations and Customs Enforcement, stop construction of the wall on the US-Mexico border, end family separations and shutter for-profit detention centers.

Under his "A Welcoming and Safe America for All" plan, the Vermont independent indicated for the first time that he will reverse guidance from the Trump administration's Department of Justice and permit asylum claims from those fleeing domestic or gang violence. Sanders would also overturn Trump's so-called "public charge" rule and ensure that immigrants are not discriminated against based on income or disability, while extending temporary protected status until more permanent resolutions are in place, invalidating Trump's efforts to end those designations.

In his proposal, Sanders expands on his support for extending legal status to the 1.8 million young people who are currently eligible for the Deferred Action for Childhood Arrivals program and pledging to provide relief to their parents, as then-President Barack Obama sought to do, by using executive authority to allow undocumented immigrants who have lived in the country for at least five years to be free from deportation.



Bernie Sanders' immigration plan would put moratorium on deportations, end ICE raids

—CNN

7:00 A.M. CONSERVATISM**The GOP's Opposition to Impeachment Is (Terrifyingly) Principled**

By ERIC LEVITZ

Many conservatives simply value the preservation of liberal democracy less than the maintenance of their movement's power.

1:57 A.M. UKRAINE SCANDAL**Bill Barr Refused to Publicly State Trump Did Nothing Illegal in Ukraine: Report**

By MATT STIEB

Frustrated by the behavior of Rudy Giuliani, AG William Barr reportedly refused to hold a press conference asserting Trump's innocence in Ukraine.

11/6/2019 IMPEACHMENT INQUIRY**Lindsey Graham: Trump Too ‘Incoherent’ to Pull Off Quid Pro Quo***By* MATT STIEB

After saying that the impeachment inquiry was “B.S.” on Tuesday, Graham returned with a defense of Trump that’s more insulting than effective.

11/6/2019 VISION 2020**Biden Calls Warren Naïve, Naïvely Says GOP Will Have a Post-Trump ‘Epiphany’***By* MATT STIEB

Biden suggested Republicans would see the light on bipartisanship after Trump’s exit, forgetting, perhaps, the majority of his time as veep.

11/6/2019 FAKE NEWS**How a (Mostly) Fake Campus Controversy Illustrates the Media’s Outrage Economy***By* JESSE SINGAL

The now-famous bánh mì protests at Oberlin were mostly invented by the media. The interesting part is why.

11/6/2019 INTELLIGENCER CHATS**How Much Does One (Very Troubling) Poll Matter?***By* GABRIEL DEBENEDETTI AND BENJAMIN HART

Intelligencer staffers discuss a much-discussed survey that included some very scary results for Democrats.

11/6/2019 LABOR**Virginia Democrats Should Get Right to Work — by Repealing ‘Right to Work’***By* ERIC LEVITZ

Virginia is one of the most anti-labor states in the union. Democrats finally have the power to change that.

11/6/2019**That oughta silence the critics**



Reed Hastings on taking down [@hasanminhaj](#) show after letter from MBS/Saudi Arabia: “We’re not in the truth to power business, we’re in the entertainment business.” [#dealbook](#)

—[@DylanByers](#)

11/6/2019 BUYER'S MARKET

It's Time to Relax About LAX-it

By JOSH BARRO

The new arrangement for Uber riders at the Los Angeles airport is a case study in why consumers just need to be flexible sometimes.

11/6/2019

Surely Trump won't hold a grudge, right?



Jeff Sessions is poised to announce his comeback Senate candidacy on Thursday, CNN has learned. He faces not only a GOP primary in Alabama, but also President Trump, who has never forgiven Sessions for recusing himself in the Russia probe. Is his fate in Trump's hands?

—[@jeffzeleny](#)

11/6/2019

All indications are that turnout in 2020 will be bonkers



Current total on the Kentucky board of elections website is that 1.455 million people voted in yesterday's governor's race. In 2015, about 940,000 people voted. That's an increase of over 50%. What will 2020 look like?

—[@RonBrownstein](#)

11/6/2019

They really won't



Joe Biden at a downtown DC fundraiser today: “With Donald Trump out of the way, you’re going to see a number of my Republican colleagues have an epiphany. Mark my words. Mark my words.”

—[@sahilkapur](#)

11/6/2019 JUST ASKING QUESTIONS

How Giving Trump the Finger Helped One Woman Win Her Election

By ADAM K. RAYMOND

Juli Briskman explains why she flipped off Trump in 2017 and how she turned her viral moment into a chance to make real change.

11/6/2019**With this poll, Tulsi Gabbard qualifies for the debate in November, the tenth candidate to do so**

IOWA

If the Democratic caucus were being held today ...

[top responses]

Warren 20%

Buttigieg 19%

Sanders 17%

Biden 15%

Klobuchar 5%

Harris 4%

Gabbard 3%

Yang 3%

Steyer 3%

(Quinnipiac U. Poll, likely Democratic caucus-goers, 10/30 - 11/5/19)

—@pollreport**11/6/2019****The New York Times continues not to fail, though ad revenue is down**

Readers continue to shower The New York Times with money. Advertisers, not so much.

The publisher added 273,000 new online subscribers in the third quarter, for a total of four million digital readers, the company reported Wednesday. The number of total subscribers, including print and digital, hit 4.9 million, a high. Advertising was the weak spot, falling 6.7 percent over all, with digital ad revenue dropping 5.4 percent.

The decline in print advertising was not unusual, as readers continue to prefer getting their news on screens. The drop in digital ads, however, was more surprising for The Times, an established publisher with a growing base of online readers.

The stock was down as much as 9 percent in early trading Wednesday.

**New York Times Co. Advertising Drops as 'Turbulence' Hits Digital Market****—The New York Times****11/6/2019** VISION 2020**Several 2020 Democrats Could See Boost From Lack of Day-Job Distractions***By* ED KILGORE

An impeachment trial in early 2020 could really mess up campaign schedules for senators running for president. Biden and Buttigieg may benefit.

11/6/2019**Mark your calendars**

House Democrats will begin convening public impeachment hearings next week, they announced on Wednesday, initially calling three marquee witnesses to begin making a case for President Trump's impeachment in public.

The hearings will kick off on Wednesday, with testimony from William B. Taylor Jr., the top American envoy in Ukraine, and George P. Kent, a top State Department official, said Representative Adam B. Schiff, Democrat of California and the chairman of the Intelligence Committee. On Friday, Mr. Schiff's committee will hear from Marie L. Yovanovitch, the former American ambassador to Ukraine, he said.

"More to come," Mr. Schiff added on Twitter.

**The Trump Impeachment Inquiry: Latest Updates****—New York Times****11/6/2019 ELECTIONS OF 2019****Matt Bevin's Loss in Kentucky Was About Matt Bevin***By* ADAM K. RAYMOND

Kentucky rejected its conservative governor, but Democrats excited about 2020 implications should note the GOP won every other statewide office.

11/6/2019 CITYSCAPE**Two New Buildings Break Free of the Glass Straitjacket***By* JUSTIN DAVIDSON

Façade materials that are able to show their age.

11/6/2019 THE NATIONAL INTEREST**Pretending Trump Wants to Stop Corruption Is the GOP's Most Insulting Lie Yet***By* JONATHAN CHAIT

Trump "honestly believes that there may have been corruption in Ukraine"?

11/6/2019**America apparently dislikes everyone**

The favorable ratings in the new Monmouth poll find that *no* Democrat is above water, but several are stronger than Trump.

Warren: 42/44
Biden: 43/50 (!)
Trump: 44/54
Sanders: 41/54
Buttigieg: 27/34
Harris: 27/46 (!)

—@daveweigel

11/6/2019 IMPEACHMENT

Senate Republicans Want to Make Trump's Impeachment Trial About the Bidens

By ED KILGORE

Republicans may prefer a show trial of Joe Biden and his son Hunter to a brief impeachment trial of President Trump.

11/6/2019 POLITICS

Democrats' Virginia Win Has 2020 Implications

By ED KILGORE

It looks like Democratic suburban gains in 2018 are continuing, and Republican efforts to shift attention from Trump to Dems' scandals didn't work.

11/6/2019

Nothing to see here

October was the warmest such month on record globally, narrowly edging out October 2015 for the top spot, according to a [new analysis](#) from the European Union's Copernicus Climate Change Service.

The finding, released Tuesday, is significant because it shows that 2019 is certain to be one of the warmest years on record, continuing a trend scientists attribute to increasing amounts of greenhouse gases in the atmosphere due to human activities.

According to Copernicus, global average surface temperatures were 1.24 degrees above average when compared to the 1981-2010 average, and 0.02 degrees above the 2015 record. The month was a solid 0.2 degrees above the third-warmest October, which occurred in 2017.

During October, the Western United States and parts of Canada stood out for being cooler than average. However, temperatures were "markedly above average" over much of the Arctic, where sea ice extent hit a record low for the month. Europe was warmer than average, as was the Eastern United States and Canada, the Middle East and much of North Africa and Russia.



Earth sizzles through October as another month ranks as the warmest on record

—Washington Post

11/6/2019

Good one, Mr. President

“ Stock Markets (all three) hit another ALL TIME & HISTORIC HIGH yesterday! You are sooo lucky to have me as your President (just kidding!). Spend your money well!

—@realDonaldTrump



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